

**DOCUMENT NO. 48.****BOARD OF ALDERMEN.**

NOVEMBER 23d, 1835.

The following Communication was received from Stephen Allen, Esq. Chairman, in behalf of the Water Commissioners, praying that the Common Council, will apply to the Legislature for a Law authorising the appointment of Commissioners, with power to alter the line of any highway or turnpike in danger of injury from the Croton River Water Works, which was referred to the Committee on Laws, together with Counsel of the Board with powers.

J. MORTON, Clerk.

To the Honorable the Common Council of the city of New York.

The Water Commissioners, beg leave respectfully to represent, That in running and designating the Water line of the Croton Reservoir, they have ascertained that a portion of the Croton turnpike, and also some parts of the public high-

way will be overflowed, and thus rendered useless to the Turnpike Company and the public.

The Commissioners are authorised by the act under which they hold their appointment, to obtain possession either by purchase, or by paying the assessed damages sustained by the owners of so much property, whether of land or water, as may be necessary for the purpose of supplying the city with pure and wholesome water ; but there is no authority granted them to alter the line of any road, or substitute other roads in the stead of such as may be injured or destroyed ; and inasmuch as the overflowing of the said turnpike and public highway, before other roads are laid out and constructed in their stead, will be attended with much public inconvenience and injury, the Commissioners are of the opinion that an act of the Legislature should be obtained, conferring such authority as will remedy the evil.

In order that the opinion of the Turnpike Company, might be elicited on this subject, the Commissioners have had, on the spot, a friendly interview with a portion of the Directors of said Company, and have pointed out to them the injury that will be sustained, and the method by which it may be remedied, and have obtained from them their views on the subject, and their verbal promise to join in an application to the Legislature for the passage of the necessary act.

Now, the object of this communication is, to request, that the Common Council will direct an application to the Legislature for a law, authorising the appointing of three Commissioners by the Governor and Senate, with authority to lay out and direct such alterations in the present line of the Croton turnpike, as in their view may be proper and useful to the public, and also, to alter and lay out so much of the highway in lieu of such parts of said road, as will be overflowed or changed, by the construction of the Croton Reservoir and aqueduct, and to authorise the Water Commissioners to agree with the owners of the land required for such alterations, as

to the damage sustained, and in the event of a disagreement to have the damage assessed, in like manner as is provided by the 13th and 14th sections of the act to provide for supplying the city of New York, with pure and wholesome water, passed the 2d of May, 1834.

All which is respectfully submitted, by order of the Board.

STEPHEN ALLEN, Chairman.

Office of the Water Commissioners, }
November 23, 1835. }

